IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 9969 of 2007(J)

PETITIONER:
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1. **E.K.VIJAYAN, ELIKAKUDY,**
   KAVUMPURAM P.O., AIMURI, PERUMBAVOOR.

2. **VITHUN, ELIKAKUDY, KAVUMPURAM P.O.,**
   AIMURI, PERUMBAVOOR,
   MINOR, REP. BY HIS FATHER SRI.E.K.VIJAYAN,
   ELIKAKUDY, KAVUMPURAM P.O.,
   AIMURI, PERUMBAVOOR.

BY ADV. SRI.K.ANAND

RESPONDENTS:
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1. **SUB INSPECTOR OF POLICE,**
   KODANADU POLICE STATION.

2. **CIRCLE INSPECTOR OF POLICE,**
   PERUMBAVOOR POLICE STATION.

BY GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE SSLC CERTIFICATE.

EXT.P2: COPY OF THE PHOTOGRAPH

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.9969 OF 2007

Dated 10th April, 2007

JUDGMENT

Koshy,J.

This is a petition alleging police harassment. Petitioners were present. Government Pleader, on instructions, submitted that second petitioner has married one Saritha and father of Saritha filed a petition before the Magistrate's Court. Second petitioner and Saritha were produced before the Judicial First Class Magistrate, Perumbavoor. They stated before the Magistrate that they wanted to reside together and accordingly they were released. Later, Saritha filed a petition saying that the second petitioner was taken away by his father and when the petition was filed, police went there for searching out the second petitioner, but, both petitioners were not found there. It is submitted by the counsel for the petitioners that since the second petitioner has not attained the age of majority, there is no valid marriage. We are not considering the question whether there is valid marriage or not. Once Saritha and second petitioner were produced before the Magistrate's Court and they stated before the Magistrate that they wanted to reside together. When the complaint was received, police

wanted to enquire on the basis of the complaint and enquiries were conducted. That cannot be taken as police harassment. If a crime is registered, it shall be investigated only according to law.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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